

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 1113	DATE	February 27, 2008
CASE TITLE	<i>King v. Ellison</i>		

DOCKET ENTRY TEXT:

Pursuant to 28 U.S.C. § 1915(e)(2)(B), this case is dismissed for lack of jurisdiction, and all pending motions are stricken as moot.

■ [For further details see text below.]

STATEMENT

Pro se plaintiff Grayling King seeks leave to proceed in forma pauperis. This court has the power to screen complaints filed by all litigants prior to service, regardless of their fee status, and must dismiss a complaint if it fails to state a claim. 28 U.S.C. § 1915(e)(2)(B); *Rowe v. Shake*, 196 F.3d 778, 783 (7th Cir. 1999). Because Mr. King is proceeding pro se, the court has construed his filings liberally.

Mr. King contends that he was entitled to an income tax refund, but that two U.S. Department of Education employees (the two defendants) told him that he would not receive the refund because it had been offset by money he owed in connection with a defaulted federal student loan. Mr. King states that he is suffering financial hardship and that the defendants told him that if he was dissatisfied with this decision, he should file a federal lawsuit. The court appreciates Mr. King's distress with this situation. However, it does not have original jurisdiction (*i.e.*, the authority) to consider and resolve disputes regarding defaulted student loans and any resultant tax impact. Instead, Mr. King must pursue administrative remedies. While the court cannot offer Mr. King any specific guidance, he may wish to review information at the following links:

<http://www.ed.gov/offices/OSFAP/DCS/disputes.html>; and

<http://www.ed.gov/offices/OSFAP/DCS/disputes.html#Hardship-IRS>

Accordingly, this case is dismissed for lack of jurisdiction, and all pending motions are stricken as moot.

Courtroom Deputy
Initials:

RTH/c